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Attorneys for Plaintiff

DIGBY ADLER GROUP d/b/a BANDAGO

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**DIGBY ADLER GROUP LLC,**

Plaintiff,

vs.

**IMAGE RENT A CAR, INC., *et al.*,**

Defendants.

Case No. 3:10-cv-00617-SC

**DECLARATION OF KARL S.  
KRONENBERGER IN SUPPORT OF  
PLAINTIFF'S CASE MANAGEMENT  
STATEMENT**

1 I, Karl S. Kronenberger, declare as follows:

2 1. I am an attorney admitted in the State of California and before this Court. I  
3 am counsel of record for Plaintiff Digby Adler Group LLC. Unless otherwise stated I have  
4 personal knowledge of the facts set forth in this declaration.

5 2. On November 2, 2010 I provided Defendants' counsel with a draft case  
6 management statement ("CMS"), incorporating edits that we had previously agreed  
7 upon. I asked for his final edits and authorization to affix his digital signature by  
8 Thursday, November 4, 2010.

9 3. However, after sending him multiple email reminders, I did not hear back  
10 from Defendants' counsel until Thursday, November 11, 2010 at 8:39 p.m. Pacific  
11 Standard Time, when I received the edited CMS back from Defendants' counsel.

12 4. Defendants' modifications required some last minute edits, and thereafter I  
13 forwarded the draft back to Defendants' counsel for his final approval. However, despite  
14 multiple attempts by email and phone to contact Defendants' counsel, he would not  
15 respond to authorize the filing of the final version of the CMS.

16 5. The version of the CMS filed today is substantially similar to the substantive  
17 content of prior versions of the document. However, because Defendants' counsel has  
18 not authorized the filing of the current version, it is filed without his signature.

19 I declare under penalty of perjury under the laws of the United States of America  
20 that the foregoing is true and correct and that this Declaration was executed on  
21 November 12, 2010, in San Francisco, California.

22  
23 s/ Karl S. Kronenberger

24 Karl S. Kronenberger  
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